



EFW

Docket No: ENP-067 (4014.1067 US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Guoyou Xu, Datong Tang, Yonghua Gai, Heejin Kim, Guoqiang Wang, Ly Tam Phan, Yat Sun Or and Zhe Wang

Application No.: 10/758,409

Group Art Unit: 1623

Filed: January 14, 2004

Examiner: Not Yet Assigned

Confirmation No.: 6085

Title: Processes for the Preparation of 6-11 Bicyclic Erythromycin Derivatives

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
12/21/04	<i>Rachel Meehan</i>
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Typed or printed name of person signing certificate	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper. (Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

(Applies to original applications (other than design) filed on or after May 29, 2000)

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in -§ 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references AL & AM are enclosed.
- ☐ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.  
[The earlier application contains copies of the cited references.]
- ☒ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
  - ☐ the explanation provided in the Specification.
  - ☐ submission of the enclosed International Search Report.
  - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
  - ☐ the enclosed English language abstract.

It is requested that the information disclosed herein be made of record in this application.

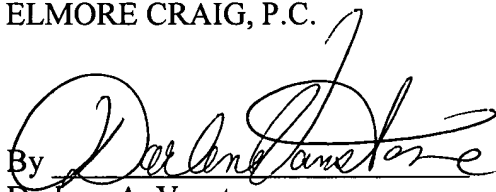
Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account ☐ in the amount of [\$ ]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 502807.

Respectfully submitted,

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Dated: 12/21/04

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.  
ENP-067 (4014.1067 US)APPLICATION NO.  
10/758,409SUPPLEMENTAL  
INFORMATION DISCLOSURE CITATION  
IN AN APPLICATIONFIRST NAMED APPLICANT  
Gouyou Xu

DEC 27 2004

December 20, 2004

FILING DATE  
January 14, 2004CONFIRMATION NO.  
6085GROUP  
1623

(use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	MM-DD-YYYY PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	AL	WO 03/097659 A1	11-27-2003	Enanta Pharmaceuticals, Inc.		
	AM	WO 03/095466 A1	11-20-2003	Enanta Pharmaceuticals, Inc.		

EXAMINER

DATE CONSIDERED